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REMARKS

1. Claim Amendments

The amendments to claims 13 and 28 are supported in the specification as filed, e.g., at page 5, lines 15-17 ("about 0.075mM"), and throughout the specification where the use of the alkanolic acid component is described in amounts less than 0.075 mM (see, e.g., Figure 1 and Example 1 at page 10).

The amendment to claim 17 is supported by the specification as filed, e.g. at page 7, lines 15 - 19.

The amendments to claims 22 and 33 is supported by the specification as filed, e.g. at page 5, lines 15-17 ("about 0.075mM"), and throughout the specification where the use of the alkanolic acid component is described in amounts less than 0.075 mM (see, e.g., Figure 1 and Example 1 at page 10), and at page 5, lines 11-13 ("greater than 0.025mM").

The amendments to claims 23 and 34 are supported by the specification as filed, e.g. at page 5, lines 15-17 ("about 0.075mM"), and throughout the specification where the use of the alkanolic acid component is described in amounts less than 0.075 mM (see, e.g., Figure 1 and Example 1 at page 10), and at page 5, lines 11-13 ("greater than 0.05mM").

Entry of the above claim amendments is respectfully requested.

2. Written Description Rejection : New Matter

Claims 13-28 stand rejected under 35 USC s.112, first paragraph, as containing new matter. The Examiner objects to the use of the phrase "about 0.1mM", "about 0.025mM" and "about 0.05mM".

To expedite the prosecution of the present application, the claims have been amended, above. Withdrawal of the present rejection is respectfully requested.

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3. Anticipation Rejection

Claims 13-21, 25-32 and 36-38 stand rejected as anticipated by Etcheverry et al. (US 5,705,364), which is cited by the Examiner as teaching the production of glycoproteins in a cell culturing production medium containing a 0.1mM to 20mM concentration of alkanolic acid/salt. Claims 13-14, 16, 18-21, 25-29, 31-32 and 36-38 stand rejected as anticipated by Fischer et al. (WO 89/06686). Fischer is cited as teaching production of proteins in a medium containing "about 0.1 to 10.0mM" of butyric acid/salt. Claim 13 stands rejected as anticipated by Feld (EP 0,239,292). Feld is cited as teaching the production of proteins by cells cultured in the presence of 0.1mM and 200 mM of alkanolic acid/salt.

The claims have been amended to recite the use of about 0.075mM of alkanolic acid, or less. Applicants submit that none of the above references teach the use of this range of concentrations of alkanolic acid in the production of proteins. Withdrawal of the present rejections is respectfully requested.

4. Obviousness Rejection

Claims 13 and 17 stand rejected as obvious over Etcheverry et al. (US 5,705,364). These claims have been amended, and withdrawal of the present rejection is sought. Claims 13 and 17 recite culturing of cells in a medium comprising about 0.075mM or less of alkanolic acid. Etcheverry states that "the factor which enhances DNA transcription is an alkanolic acid or salt thereof such as sodium butyrate at a concentration of about 0.1mM to about 20mM. (col. 3, lines 35-39). The claims of Etcheverry et al. likewise recite the use of an alkanolic acid or salt at a concentration of about 0.1mM to about 20mM.

5. Allowable subject matter

Applicants note with appreciation the Examiner's indication that claims 22-24, and 33-35 contain subject matter that is allowable over the cited art.

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6. Conclusion

Applicants submit that the present application is in condition for allowance, which action is respectfully requested.

Respectfully Submitted,

Virginia C. Bennett
Attorney of Record: Virginia C. Bennett
Registration No. 37,092

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GlaxoSmithKline
Corporate Intellectual Property
5 Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709-3398
Telephone: (919) 483-1012
Facsimile: (919) 483-7988

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